IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1128 (S/S) of 2005

1. Fakharudeen, son of Abdula Sakoor, Teacher, Incharge, Junior High School, Kunda, District – Udham Singh Nagar.

2. Chandra Prakash Verma, son of Mussadi Lal, Teacher, Incharge, Junior High School, Sanyasiyon Wala, Jaspur, District – Udham Singh Nagar.

……Petitioner.

V e r s u s.

1. State of Uttaranchal, through Secretariat, Dehradun.
2. Regional Joint Director of Education, Kumaon, District – Nainital.
3. Additional District Education Officer, Udham Singh Nagar.

……Respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri S.C. Bhatt, learned counsel for the petitioner and learned standing counsel, who has accepted notices on behalf of respondents.

By means of this writ petition, the petitioners have challenged the order dated 06.05.2005 passed by the Additional District Education Officer, Udham Singh Nagar by which he has directed the petitioners to hand over the charge to Principal, Junior High School, in pursuance to the policy decision taken by the Government, which was communicated by the Directed of Education to the Joint Director, Education by letter dated 17.06.2003.

Learned counsel for the petitioner has submitted that petitioners have already moved representations before respondent no. 3 i.e. Additional District Education Officer, Udham Singh Nagar, which is Annexure Nos. 3 and 4 to the writ petition and respondent no. 3 may be directed to decide the same at the earliest. Learned counsel for the petitioners has further submitted that policy decision taken by the Government was not implemented and it has yet not been finalized by the State Government.

In view of the above circumstances, respondent no. 3 i.e. Additional District Education Officer, Udham Singh Nagar is directed to decide the petitioner's representation dated 21.07.2005 within a period of three weeks' from the date of production of certified copy of this order provided the petitioners hand over the charge as directed by the respondent no. 3 within a period of one week from today.

With this direction the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

August 10, 2005
SKSharma